

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BRENDA K. SITRON
Plaintiff,

v.

Case No. 13-C-0968

CAROLYN W. COLVIN,
Acting Commissioner of the Social Security Administration
Defendant.

ORDER

Plaintiff Brenda Sitron seeks judicial review of an ALJ's decision on her application for social security disability benefits. Ordinarily, a plaintiff must pay a statutory filing fee to bring an action in federal court, 28 U.S.C. § 1914(a), but plaintiff requests leave to proceed in forma pauperis. Under 28 U.S.C. § 1915(a), an indigent party may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability "to pay such fees or give security therefor" and stating "the nature of the action, defense or appeal and affiant's belief that the person is entitled to redress." 28 U.S.C. § 1915(a)(1).

Plaintiff has filed the required affidavit. Upon review of that affidavit, the court is satisfied that she satisfies the poverty requirements of § 1915. Plaintiff reports a monthly income of just \$400, which is more than subsumed by monthly expenses, and she owns no valuable assets aside from a 1994 Plymouth Sundance. Further, on review of the complaint the court is unable to determine that the action is frivolous or that the complaint fails to state a claim.

THEREFORE, IT IS ORDERED that plaintiff's petition to proceed without prepayment of fees and costs (R. 2) is **GRANTED**. The file will be returned to the Clerk of Courts for

service on defendant.

Plaintiff is advised to provide defendant or her counsel with copies of all future motions or papers filed by plaintiff in this action.

Dated at Milwaukee, Wisconsin this 29th day of August, 2013.

/s Lynn Adelman

LYNN ADELMAN
District Judge